

APPLICATION FOR PERMIT

Serial No. 6657

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office MAR. 29 1922
Returned to applicant for correction
Corrected application filed

The undersigned J.M.Frunty of Charleston, Elko county, Nevada.

Name of applicant

of and Guy B.Frunty of Muldoon, County of Blaine,
State of Idaho, hereby make application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.)

1. The source of the proposed appropriation is Virgin River

Name of stream, lake, or other source

2. The amount of water applied for is Fifteen (15) second-feet.

One-second-foot equals 40 miners' inches

3. The water to be used for Irrigation

Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:
N.W. 4 of S.W. 4. Sec 5. Tp.15 S.R. 69 E. M.D.B.& M.

Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section-corner. If on unsurveyed land, it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is Fifteen Hundred (1500) in the
following subdivisions.

(b) Description of land to be irrigated W. $\frac{1}{2}$ of W. $\frac{1}{2}$. Sec 30. W. $\frac{1}{2}$ of
N.W. $\frac{1}{4}$ sec.31. Tp.15 S.R.69 E. E. $\frac{1}{2}$ of E. $\frac{1}{2}$ sec.24. E. $\frac{1}{2}$ of E. $\frac{1}{2}$ sec.25.
be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
E. $\frac{1}{2}$ of sec.36, Tp.15 S.R.68 E. N.E. $\frac{1}{4}$ sec.1. S. $\frac{1}{2}$ Sec.1. E. $\frac{1}{2}$ of N.E. $\frac{1}{4}$
sec.12. W. $\frac{1}{2}$ of N.W. $\frac{1}{4}$ sec.12. S.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ sec.12. Tp.16 S.R.68 E.
M.D.B.& M.

(c) Irrigation will begin about Jan.1. and end about
Dec.31. Month

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE
FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located

Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.

(f) Point of return of water to stream No.

Describe in same manner as point of diversion.

(g) Remarks Any water classed as waste would return directly to the
river as the land lies alongside of it and is bottom land.

DESCRIPTION OF PROPOSED WORKS

There is a natural point of diversion at the point that I propose
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water
to take the water from. It will be taken through a ditch at the
is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.
head of which will be a dam of brush weighted with stone.

5. Estimated cost of works \$5000.00.
6. Estimated time required to construct works Five years.
7. Remarks I propose building a brush dam similar to the one sus-
for use of applicant
cessfully used by Messrs. Darling, Thompson & Wattis a few miles
above this site. (About 7 miles below Bunkerville.)

J.M.Prunty, Guy B.Prunty, Applicants.

By J.M.Prunty

Compared P.P.Jones,

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application,
and do hereby grant the same, subject to the following limitations and
conditions: This permit is issued subject to all prior rights on the
source. A substantial headgate and weir must be installed and maintained
at or near the point of diversion to facilitate the measurement and con-
trol of water. The State reserves the right to regulate the use of the
water herein granted at any and all times. It is distinctly understood
that applicant agrees to the terms herein contained.

The amount of water to be appropriated shall be limited to the amount
which can be applied to beneficial use, and not to exceed 15.0
cubic feet per second.

Actual construction work shall begin on or before July 19, 1924

Proof of commencement of work shall be filed before August 19, 1924

Work must be prosecuted with reasonable diligence and be completed on or
before July 19, 1927

Proof of completion of work shall be filed before August 19, 1927

Application of water to beneficial use shall be made on or before

July 19, 1931, Proof of the application of water to beneficial
use must be filed with State Engineer on or before August 19, 1931

Proof of labor filed AUG 19 1924

WITNESS MY HAND AND SEAL this 19 day

Cancelled MAY 21 1941 because of failure
of applicant to comply with the provisions of permit

of May, A.D. 1924.

Alfred Herrick
State Engineer

By C.R.

John W. Allen
State Engineer.

6657.

A period of over thirteen years has elapsed since the approval of application No. 6657 with no evidence of record of any tangible amount of work having been done by the permittee under the terms of the permit. On October 15, 1937 the Mesquite Irrigation Company through J. Lewis Pulsipher, its president, filed written protest with the State Engineer against the granting of additional extensions of time under permit No. 6657 on the ground that the permittee thereunder had not used due diligence to place the water applied for to a beneficial use.

In consideration of the records in connection with permit No. 6657 which indicate a lack of diligence on the part of the permittee in doing those things necessary to apply the water to beneficial use as intended, it is doubtful whether it is within the legal authority of the State Engineer to grant an additional extension of time within which to comply with the terms of the permit. However, with the understanding that the permittee assumes full responsibility as to the legality of a further extension of time, the time within which to complete the work, place the water to a beneficial use and file the respective proofs thereof with cultural map is herewith extended to and including August 22, 1938, with the admonition that unless some appreciable showing in the way of substantial work is made by the permittee during the period allowed by this extension of time no additional requests for such extensions of time will be considered.

Dated this 12th day of November,
1937.


STATE ENGINEER

